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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,955	09/27/2001	Shigeki Taira	16869S-035600US	3321

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EXAMINER

BAKER, STEPHEN M

ART UNIT

PAPER NUMBER

2133

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/965,955

**Applicant(s)**

TAIRA ET AL.

**Examiner**

Stephen M. Baker

**Art Unit**

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,6,8,11 and 18-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,6,8,11 and 18-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1, 6, 11, 18-23 and 25-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1: by the amended text at the end of the claim, applicant appears to be redundantly reciting that data of each H-codeword is not interrupted by data of another H-codeword, after having already recited "outputting code-H codewords ... in a codeword-by-codeword manner", which itself is apparently not an aspect of any embodiment that applicant could correctly rely upon to distinguish over the prior art or to avoid being confusingly prolix. Applicant also implies at the same time that the output order of sector data is due entirely to the "alternating" between product codes, though it is apparently primarily a result of the step of "allocating ... in an arrangement". In the context of the disclosure and the prior art, "such that between data of the same sector of an outputted code-H codeword, there does not exist a data of another sector" apparently should be "the arrangement of data being such that between outputted data of one sector there does not exist data of another sector".

Regarding claim 6: "in an order that each of said plurality of IDs exists at a predetermined interval in said outputted code-H codewords" is confusing, part elliptical

and part prolix, and apparently should be "in an order such that ID data exists at a predetermined interval".

Regarding claim 11: "in an order that each of said plurality of identifiers exists at a predetermined interval in said code-H codewords outputted" is confusing, part elliptical and part prolix, and apparently should be "in an order such that identifier data exists at a predetermined interval".

Regarding claim 18: in line 3, "an error data, among data" is not idiomatic English, and apparently should be "error data, in an order such that among data"; in line 7, "an error data" is not idiomatic English, and apparently should be "error data"; in line 9, "to correct error" is not idiomatic English, and apparently should be "to correct error data".

Regarding claim 19: in line 3, "an error data including a plurality of identifiers IDs existing at a predetermined interval in said code-H codewords" is confusing and prolix, and apparently should be "error data and including, at a predetermined interval, identifier data of a plurality of identifiers"; in line 6, "an error data" is not idiomatic English, and apparently should be "error data"; in line 8, "to correct error" is not idiomatic English, and apparently should be "to correct error data".

Regarding claim 20: in line 2, "an error data, among data of an input data sector of said code-H codewords there does not exists data of other sectors of a plurality of sectors than said sector" is confusing and prolix, and apparently should be "error data, in an order such that among data of one data sector there does not exist data of another sector"; in line 6, "an error data" is not idiomatic English, and apparently should be "error

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data”; in line 8, “to correct error” is not idiomatic English, and apparently should be “to correct error data”.

Regarding claim 21: in line 2, “an error data including a plurality of identifiers IDs existing at a predetermined interval in said code-H codewords” is confusing and prolix, and apparently should be “error data and including, at a predetermined interval, identifier data of a plurality of identifiers”; in line 6, “an error data” is not idiomatic English, and apparently should be “error data”; in line 8, “to correct error” is not idiomatic English, and apparently should be “to correct error data”.

### ***Claim Rejections - 35 USC § 102***

3. Claims 1, 6, 11 and 18-29 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,311,522 to Murakami (hereafter “Murakami”).

Reference is hereby made to Fig. 3C of Murakami, which shows a group of six product-coded blocks. Recording and reproduction of the group of coded blocks is apparently performed row-wise across the group. Each product-coded block may be equated to a “sector.” Each inner code block is a “code-H codeword” and so reproduction of the group of coded blocks row-wise across the group would involve “outputting code-H codewords of each of the product-code codewords in a codeword-by-codeword manner in an alternating fashion for said plurality of product-code codewords such that between data of the same sector of an outputted code-H codeword, there does not exist a data of another sector”, as each of Murakami’s “code-H” codewords (inner code block) is output uninterrupted. Data of ID words apparently

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exists at a constant interval in Murakami's recorded data, as each row of each product-coded block begins with an ID word.

4. Claims 1, 6, 8, 11 and 18-29 are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent No. 6,125,100 to Sensyu (hereafter referred to as Sensyu).

Reference is hereby made to Fig. 6B of Sensyu, which shows a group of two product-coded ECC blocks, with odd and even-numbered symbols of a sector being interleaved between the two ECC blocks. Each row of each ECC block is a "code-H codeword" and so reproduction of the group of coded blocks row-wise across the group would involve "outputting code-H codewords of each of the product-code codewords in a codeword-by-codeword manner in an alternating fashion for said plurality of product-code codewords such that between data of the same sector of an outputted code-H codeword, there does not exist a data of another sector", as each of Sensyu's "code-H" codewords (inner code block) is output uninterrupted. Recording and reproduction of the group of coded blocks is apparently performed row-wise across the group. Data of ID words apparently exists at a constant interval in Sensyu's recorded data, though broken into odd symbols of ID data and even symbols of ID data.

### ***Conclusion***

5. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Baker whose telephone number is (571) 272-3814. The examiner can normally be reached on Monday-Friday (11:00 AM - 7:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Stephen M. Baker  
Primary Examiner  
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